

SENATE BILL REPORT

ESHB 2381

As of February 22, 2018

Title: An act relating to allowing certain adult family homes to increase capacity to eight beds.

Brief Description: Allowing certain adult family homes to increase capacity to eight beds.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Macri, Cody, Tarleton, Santos, Johnson, McBride, Muri, Tharinger, Robinson, Valdez, Stanford, Reeves, Appleton, Harris and Stonier).

Brief History: Passed House: 2/12/18, 97-1.

Committee Activity: Health & Long Term Care: 2/22/18.

Brief Summary of Bill

- Allows adult family homes to increase their bed capacity from six to eight beds if they meet specified licensing standards.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Staff: LeighBeth Merrick (786-7445)

Background: An adult family home is a residential home that provides personal care, specialty care, necessary supervision, laundry, and room and board for up to six adults who need long-term care.

Adult family homes are licensed by the Department of Social and Health Services (DSHS) and must meet facility standards, and training requirements for resident managers and caregivers. An adult family home may only admit residents whose needs and preferences the home is able to meet through available staff and reasonable accommodations. Each resident must receive identified care and services in a manner and environment that supports, maintains, or improves the resident's quality of life. The services must be provided by appropriate professionals based upon the resident's assessment and negotiated care plan.

Summary of Bill: An adult family home provider may increase the home's bed capacity to seven or eight beds. A provider may apply for a license to operate with seven or eight beds if:

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- the provider has held the initial adult family home license for at least 24 months;
- the home has been licensed for six residents for at least 12 months;
- the provider has completed two full inspections without any enforcement actions;
- the provider attests that an increase will not adversely affect the health, safety, or quality of life of the home's current residents;
- the home is in compliance with DSHS rules regarding emergency evacuation or, alternatively, the home installs an automatic fire sprinkler system; and
- the provider has paid any required fees.

The application fee to increase the bed capacity of an adult family home is set at \$453.

The home must demonstrate financial solvency and the ability to meet safety, health, and operating standards related to the operation of a seven or eight bed adult family home, including the mitigation of potential traffic impacts. DSHS must consider current residents' comments related to quality of care, quality of life, and their views on adding more residents to the home.

DSHS must provide written notification to the local jurisdiction in which the adult family home is located regarding the applicant's request to increase bed capacity. In addition, DSHS must conduct an inspection of the home prior to issuing a license to determine if the home is able to meet the needs of eight residents. DSHS may reduce the maximum number of beds to six if there has been serious noncompliance with licensing standards.

To change ownership of a seven or eight bed adult family home, the new provider must be a provider of an adult family home that has been licensed for at least 24 months and have had six residents for at least 12 months. The adult family home must have also completed two full inspections that have not resulted in any enforcement actions.

The adult family home must notify all residents and their designated guardians about their increase in licensed beds, at least 60 days prior to admitting a seventh resident. The notice must be in writing and in a manner or language understood by the residents and their designated representatives.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Adult family homes are integral to long-term care services and we currently do not have enough spaces for people who need and deserve community care. This bill sets high standards and only allows experienced adult family home operators to expand. This bill is the result of a tremendous amount of stakeholder conversations about how to best balance the need for quality/safety and the need for capacity. There is a great need for adult family homes to serve more Medicaid, and this bill would help

more adult family homes serve Medicaid because the expansion provides for a greater economy of scale.

CON: Lakewood has a high concentration of adult family homes. Neighbors of these homes express concerns about increased traffic, their public safety, excess garbage, and overall negative impact on their quality of life. More measures need to be taken to ensure that the people who are being placed in these homes are safe for the community.

OTHER: This bill presents some serious concerns regarding resident safety in the event a fire occurs.

Persons Testifying: PRO: Representative Nicole Macri, Prime Sponsor; John Ficker, Adult Family Home Council; Alyssa Alyssa, Business Development and Compliance Specialist, A2Z Elite Services.

CON: Shelly Helder, City of Lakewood.

OTHER: Robert Bradley, Washington Fire Chiefs and Association of Fire Marshals.

Persons Signed In To Testify But Not Testifying: No one.